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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,495	04/03/2006	Olaf Bose	47588-228850	2378
26694	7590	01/10/2008	EXAMINER	
VENABLE LLP			MONBLEAU, DAVIENNE N	
P.O. BOX 34385				
WASHINGTON, DC 20043-9998			ART UNIT	PAPER NUMBER
			2878	
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			01/10/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/574,495	BOSE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Davienne Monbleau	2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 03 April 2006 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____.                                     |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____.   | 6) <input type="checkbox"/> Other: _____.                         |

## DETAILED ACTION

### *Title*

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Verifying Cut Quality of a Sheet with Image Scanning.

### *Abstract*

The abstract of the disclosure is objected to because it should be narrative in form, rather than duplicating the claim language. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

**Claim 13 recites "preferably 1200 dpi", which is not a positive recitation.**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-3, 6, 10-12, 15, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Morita (U.S. 2003/0133022).**

**Regarding claim 1,** *Morita (Figure 1)* teaches a device comprising a transparent scanning substrate comprising a stop (paragraph [0068]) for a sheet for holding the sheet, a scanning device (21) with a scanning window and a cover (12) for covering the sheet held by the scanning substrate, wherein the scanning window overlaps the sheet, forming edge surfaces, and the cover (12) has different reflection properties from the sheet for producing a high-contrast scanned image of the sheet and of the edge surfaces between the sheet and the scanning window.

**Regarding claim 10,** *Morita (Figure 1)* teaches a method comprising a sheet is positioned on a transparent scanning substrate with a stop (paragraph [0068]), covered with a cover (12) and scanned with a scanning device (21), wherein the scanning device (21) scans in the region of a scanning window which encompasses both the sheet and edge surfaces surrounding the sheet, and differences in contrast between the sheet and the edge surfaces are detected (part of the scanned image).

**Regarding claim 18,** *Morita (Figure 1)* teaches a scanner with a stop (paragraph [0068]) for the orientation of a sheet to be scanned, a scanning substrate (paragraph [0068]) and a sheet feeder (12), characterized in that the sheet feeder (12) is arranged at a distance from the stop or provided so that it can be driven in such a way that the sheet can be laid on the scanning substrate at a distance from the stop.

**Regarding claims 2 and 11,** *Morita (Figure 1)* teaches that the scanning device is connected by a wire to a computer for evaluating the scanned image (in order to process and copy the image).

**Regarding claims 3 and 12,** *Morita (Figure 1)* teaches that adjacent to the scanning substrate is provided a sheet holder (12a) for a stack of sheets and a conveyor for drawing in and positioning a sheet (paragraph [0068]).

**Regarding claims 6 and 15,** *Morita (Figure 1)* teaches that the conveyor is formed by transport rollers and the cover (12) is formed by a cover plate spaced apart from the scanning substrate.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 4, 5, 7-9, 13, 14, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morita.**

**Regarding claims 4, 5, and 14,** *Morita (Figure 1)* teaches a conveyor to move the sheets, but does not teach that it is a rubber blanket belt conveyor. It is known in the art to use conveyor belts to transport objects. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a particular type of conveyor in *Morita* based on its suitability for the desired conveyance means.

**Regarding claims 7, 8, 16, and 17,** *Morita (Figure 1)* teaches a conveyor, but does not teach the specifics of the conveyor. It is known in the art to use particular step wise conveyors to control movement and placement of an object. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a particular stepwise conveyor in *Morita* to control the movement/position of the sheet in a particular manner.

**Regarding claim 9,** *Morita (Figure 1)* teaches that the cover (12), the sheet holder (12a) and/or the conveyor is held in a lid, but does not teach that the lid is mounted pivotably by means of hinges adjacent to the scanning substrate. It is known in the art that the cover may be mounted pivotably by means of hinges adjacent to the scanning substrate. It would have been obvious to one of ordinary skill in the art at the time of the invention to pivotably mount the lid in *Morita* to provide access to the sheet on the scanning substrate by the user.

**Regarding claim 13,** *Morita (Figure 1)* teaches scanning, but does not teach a resolution of 1200 dpi. It is known in the art to use particular scanning resolutions. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a particular scanning resolution in *Morita* to improve image quality and obtain more detail.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davienne Monbleau whose telephone number is 571-272-1945. The examiner can normally be reached on Monday through Friday 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Davienne Monbleau*

Davienne Monbleau  
Primary Examiner  
Art Unit 2878

DNM